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IN UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

JOHN MILLER,

Case No.: 3:17-CV-00121-MMD-WGC

Plaintiff(s),

**STIPULATION AND [PROPOSED] ORDER  
FOR EXTENSION OF TIME TO FILE  
THIRD AMENDED COMPLAINT**

vs.

UNITED STATES OF AMERICA, and  
DOES 1-25

**(SECOND REQUEST)**

Defendant(s).

**(EXPEDITED REVIEW REQUESTED)**

COME NOW Plaintiff, John Miller, and Defendant, United States of America, and hereby stipulate and agree that Plaintiff may have a sixty (60) day extension to file his Third Amended Complaint. Plaintiff's Third Amended Complaint filing deadline is July 16, 2021. The parties stipulate that extension is needed because the parties are currently involved in settlement discussions which may obviate the need to file the Third Amended Complaint. The stipulated extension would give Plaintiff up to and including September 14, 2021, to file his Third Amended Complaint.

Under the circumstances, good cause exists for an extension of time to allow Plaintiff and Defendant to continue their settlement discussions to possibly resolve the case without Plaintiff filing Third Amended Complaint. *See* Fed R.Civ. P. 6(b)(1)(A) ("When an act may or must be done within specified time, the court may, *for good cause*, extend the time...with or without motion or notice of motion if the court acts, or if a request is made, before the original time or its extension expires[.]") (Emphasis added).

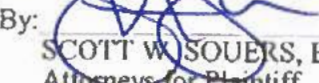
This is Plaintiff's second request for an extension of time to file his Third Amended Complaint. *See* LR IA 6-1(a). Plaintiff avers that this extension request is made in good faith and not for the purpose of

1 delay. (*Id.* ¶ 10).

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3 Respectfully submitted,

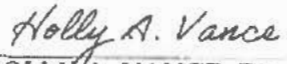
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5 Dated: July 13, 2021

6 ALLING & JILLSON, LTD.

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8 By:   
9 SCOTT W. SOUERS, Esq.  
Attorneys for Plaintiff

Dated: July 13, 2021

CHRISTOPHER CHIOU  
Acting United States Attorney

By:   
HOLLY A. VANCE, Esq.  
Assistant United States Attorney  
Attorney for the United States of America

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14 **ORDER**

15 IT IS HEREBY ORDERED the Parties' stipulation for extension of Plaintiff's time to file a Third  
16 Amended Complaint is approved and Plaintiff John Miller shall have up to and including September 14,  
17 2021, to file his Third Amended Complaint.

18 DATED: 7/15/2021

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U.S. DISTRICT JUDGE